

CHAPTER 19A—WATER RESOURCES RESEARCH PROGRAM

GENERAL PROVISIONS

§ 1961. Repealed. Pub. L. 95-467, title IV, § 410(a), Oct. 17, 1978, 92 Stat. 1316

Section, Pub. L. 88-379, §1(b), July 17, 1964, 78 Stat. 329, set out Congressional purpose in enacting water resources research program legislation. See section 7802 of this title.

SHORT TITLE

Pub. L. 88-379, §1(a), July 17, 1964, 78 Stat. 329, provided that Pub. L. 88-379, which enacted sections 1961 to 1961c-8, may be cited as the "Water Resources Research Act of 1964", prior to repeal by Pub. L. 95-467, title IV, §410(a), Oct. 17, 1978, 92 Stat. 1316.

SUBCHAPTER I—STATE WATER RESOURCES RESEARCH INSTITUTE

§§ 1961a to 1961a-5. Repealed. Pub. L. 95-467, title IV, § 410(a), Oct. 17, 1978, 92 Stat. 1316

Section 1961a, Pub. L. 88-379, title I, §100, July 17, 1964, 78 Stat. 329; Pub. L. 92-175, §§1-3, Dec. 2, 1971, 85 Stat. 493, related to water resources research institutes. See section 7811 of this title.

Section 1961a-1, Pub. L. 88-379, title I, §101, July 17, 1964, 78 Stat. 330, authorized appropriations for specific water resources research projects, including regional projects. See sections 7815(a) and 7872 of this title.

Section 1961a-2, Pub. L. 88-379, title I, §102, July 17, 1964, 78 Stat. 330; Pub. L. 92-175, §4, Dec. 2, 1971, 85 Stat. 493, set time and amount of payments to institutes, directed that an accounting officer be appointed to each State institute and submit an annual report to Secretary of the Interior, and required that State replace diminished, lost or misapplied funds. See section 7876 of this title.

Section 1961a-3, Pub. L. 88-379, title I, §103, July 17, 1964, 78 Stat. 330, made appropriated funds available for printing and publishing results of research and for the planning, coordinating and conducting of cooperative research. See section 7812 of this title.

Section 1961a-4, Pub. L. 88-379, title I, §104, July 17, 1964, 78 Stat. 331; Pub. L. 89-404, §2, Apr. 19, 1966, 80 Stat. 130, related to powers and duties of Secretary of the Interior. See section 7813 of this title.

Section 1961a-5, Pub. L. 88-379, title I, §105, July 17, 1964, 78 Stat. 331, related to legal relationship of educational institutions and State governments and Federal control or direction of education. See section 7814 of this title.

SUBCHAPTER II—ADDITIONAL WATER RESOURCES RESEARCH PROGRAMS

§ 1961b. Repealed. Pub. L. 95-467, title IV, § 410(a), Oct. 17, 1978, 92 Stat. 1316

Section, Pub. L. 88-379, title II, §200, July 17, 1964, 78 Stat. 331; Pub. L. 89-404, §1, Apr. 19, 1966, 80 Stat. 129; Pub. L. 92-175, §5, Dec. 2, 1971, 85 Stat. 493; Pub. L. 93-608, §1(17), Jan. 2, 1975, 88 Stat. 1970; Pub. L. 95-84, §1(a)(1), Aug. 2, 1977, 91 Stat. 400, authorized appropriations for research into water problems related to the mission of the Department of the Interior and required that the Secretary's annual report to the President and Congress identify each approved contract and grant award. See section 7815 of this title.

SUBCHAPTER III—MISCELLANEOUS PROVISIONS

§§ 1961c to 1961c-8. Repealed. Pub. L. 95-467, title IV, § 410(a), Oct. 17, 1978, 92 Stat. 1316

Section 1961c, Pub. L. 88-379, title III, §300, July 17, 1964, 78 Stat. 332, related to cooperation of Federal,

State and private agencies with Secretary of the Interior who was directed to make information on relevant projects available. See section 7877(a) of this title.

Section 1961c-1, Pub. L. 88-379, title III, §301, July 17, 1964, 78 Stat. 332, related to lack of authority of Secretary of the Interior over water resources research of other Federal agencies and lack of effect that this chapter had on existing authorities and responsibilities of Federal agencies. See section 7881 of this title.

Section 1961c-2, Pub. L. 88-379, title III, §302, July 17, 1964, 78 Stat. 332, related to advance payments of initial expenses. See section 7818 of this title.

Section 1961c-3, Pub. L. 88-379, title III, §303, July 17, 1964, 78 Stat. 332, made expenditures of funds for scientific or technological research or development activity conditioned upon availability to public of resulting information and developments, and provided that background patent rights would be unaffected. See section 7879 of this title.

Section 1961c-4, Pub. L. 88-379, title III, §304, July 17, 1964, 78 Stat. 332, established a cataloging center. See section 7853 of this title.

Section 1961c-5, Pub. L. 88-379, title III, §305, July 17, 1964, 78 Stat. 332, related to interagency coordination of water resources research. See section 7877(b) of this title.

Section 1961c-6, Pub. L. 88-379, title III, §306, July 17, 1964, 78 Stat. 333; Pub. L. 92-175, §6, Dec. 2, 1971, 85 Stat. 494, defined "State". See section 7817 of this title.

Section 1961c-7, Pub. L. 88-379, title III, §307, as added Pub. L. 89-404, §2, Apr. 19, 1966, 80 Stat. 130, and amended Pub. L. 92-175, §7, Dec. 2, 1971, 85 Stat. 494, required Secretary of the Interior to make an annual report to the President and Congress. See section 7880 of this title.

Section 1961c-8, Pub. L. 88-379, title III, §308, as added Pub. L. 92-175, §8, Dec. 2, 1971, 85 Stat. 494, empowered Secretary of the Interior to convey excess personal property to cooperating institutes, educational institutions and nonprofit organizations. See section 7878 of this title.

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- (e) Approval of Governors for diversion studies.
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- 1962d-21. John Glenn Great Lakes basin program.
 - (a) Strategic plans.
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- 1962d-22. Great Lakes fishery and ecosystem restoration.
 - (a) Findings.
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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1962d-4 of this title; title 16 section 1275; title 22 section 2361; title 33 section 1289; title 43 section 1511.

§ 1962. Congressional statement of policy

In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

(Pub. L. 89-80, § 2, July 22, 1965, 79 Stat. 244.)

SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93-251, title I, § 109, Mar. 16, 1974, 88 Stat. 49, provided that: "This title [enacting sections 1962d-3c and 1962d-15 to 1962d-17 of this title, section 460ee of Title 16, Conservation, and sections 50c-2, 50k, 579, 701b-11, and 1252a of Title 33, Navigation and Navigable Waters, amending section 4482 of this title, sections 460l-13(a), (a)(3) and 460l-14(b)(1) of Title 16, section 275a of Title 22, Foreign Relations and Intercourse, and sections 701g, 701n, 701r, 701r-1(c), 701s, 709a(b), and 1165a(d) of Title 33, and enacting provisions set out as notes under sections 1962d-5 and 1962d-7 of this title and section 460l-13 of Title 16] may be cited as the 'Water Resources Development Act of 1974'."

SHORT TITLE

Section 1 of Pub. L. 89-80 provided that: "This Act [enacting this chapter] may be cited as the 'Water Resources Planning Act'."

WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS EXEMPT FROM REQUIREMENTS FOR INDEPENDENT WATER PROJECT REVIEW

Provisions exempting watershed projects under the Watershed Protection and Flood Prevention Act, Aug. 4, 1954, ch. 656, 68 Stat. 666, which is classified generally

to chapter 18 (§1001 et seq.) of Title 16, Conservation, from the requirements of Executive Orders 12113 and 12141, formerly set out below, were contained in the following appropriation acts:

Pub. L. 97-370, title VI, § 619, Dec. 18, 1982, 96 Stat. 1811.

Pub. L. 97-103, title VI, § 619, Dec. 23, 1981, 95 Stat. 1490.

Pub. L. 96-528, title VI, § 622, Dec. 15, 1980, 94 Stat. 3118.

EXECUTIVE ORDER NO. 12113

Ex. Ord. No. 12113, Jan. 4, 1979, 44 F.R. 1955, as amended by Ex. Ord. No. 12141, June 5, 1979, 44 F.R. 32635, which provided for independent review of Federal water resources programs and projects by the Water Resources Council, was revoked by section 4 of Ex. Ord. No. 12322, Sept. 17, 1981, 46 F.R. 46561, set out below.

EX. ORD. NO. 12322. WATER RESOURCES PROGRAMS AND PROJECTS REVIEW

Ex. Ord. No. 12322, Sept. 17, 1981, 46 F.R. 46561, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to ensure efficient and coordinated planning and review of water resources programs and projects, it is hereby ordered as follows:

SECTION 1. Before any agency or officer thereof submits to the Congress, or to any committee or member thereof, for approval, appropriations, or legislative action any report, proposal, or plan relating to a Federal or Federally assisted water and related land resources project or program, such report, proposal, or plan shall be submitted to the Director of the Office of Management and Budget.

SEC. 2. The Director of the Office of Management and Budget shall examine each report, proposal, or plan for consistency with, and shall advise the agency of the relationship of the project to, the following:

- (a) the policy and programs of the President;
- (b) the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies or other such planning guidelines for water and related land resources planning, as shall hereafter be issued; and
- (c) other applicable laws, regulations, and requirements relevant to the planning process.

SEC. 3. When such report, proposal, or plan is thereafter submitted to the Congress, or to any committee or member thereof, it shall include a statement of the advice received from the Office of Management and Budget.

SEC. 4. Executive Order No. 12113, as amended, is revoked.

RONALD REAGAN.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1962b-3 of this title.

§ 1962-1. Effect on existing laws

Nothing in this chapter shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except